



North Carolina General Assembly
LEGISLATIVE BUILDING
RALEIGH 27601

October 11, 2019

Via Hand Delivery

Governor Roy Cooper
20301 Mail Services Center
Raleigh, NC 27699

Dear Governor Cooper,

The independent oversight investigators retained by the North Carolina General Assembly to look into the Atlantic Coast Pipeline permitting process have informed us that they have nearly concluded their witness interviews.

The independent investigators have not yet spoken with you or your office despite multiple calls and voicemails. Based on prior communications with your office, it is our understanding that you have instructed some employees to not cooperate with the independent oversight investigators.

The investigators have informed us that they wish to speak with you and other members of your office, and we of course would like you to cooperate. We write to offer you three options for cooperation:

1. Permit all Governor's Office employees to speak with the independent oversight investigators about their public duties in a setting with which the employees feel most comfortable. We are open to working with your counsel on procedural details if you wish.

2. Select Governor's Office employees to testify before the Subcommittee on the Atlantic Coast Pipeline. We would prefer to hear from you directly, but if you refuse, the Subcommittee would expect the Governor's Office employee(s) you designate to provide full and truthful answers. The Governor's Office employee(s) you designate to testify should be able to speak about and answer questions regarding: You and your office's participation in the ACP permitting process; conversations between the Executive Branch, Duke Energy, and the solar industry about the ACP permitting process, the nameplate capacity matter, and the \$57.8 million mitigation fund; and other relevant matters.
3. Do not permit any Governor's Office employees to speak on this matter. The independent oversight investigators would complete their report using the large volume of information already provided to them by other parties. Their report will note that you refused to make available-publicly or privately-key employees who played a major role in the alleged events. The legislature reserves its authority to subpoena those individuals.

We believe these options provide you with considerable flexibility in determining the path forward that best suits your preferences, if you choose to select Governor's Office employees to testify at a public hearing, we anticipate that public hearing would take place the week of November 4, 2019. We await your reply.

Sincerely,



Senator Harry Brown



Representative Dean Arp